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TRANSPORTATION OF PUBLIC SCHOOL PUPILS IN PENNSYLVANIA

BULLETIN 100

1941

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC INSTRUCTION
HARRISBURG

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DEPARTMENT OF PUBLIC INSTRUCTION
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FOREWORD

THE transportation of pupils may be regarded as one of the newer functions and more recent responsibilities of a large number of the school districts of Pennsylvania. Improved highways and safer motor vehicles have accelerated the elimination of one-teacher schools and the establishment of consolidated schools. Also, these factors have brought secondary education within the reach of large numbers of rural youth who previously had been denied such privileges. The result has been an increasing demand for pupil transportation throughout the State.

With the development of pupil transportation there arose a need for statutory provisions to regulate and control the conditions under which such service is permitted and required. It is the purpose of this bulletin to summarize the legal aspects of pupil transportation in Pennsylvania as a guide to school officials.

An equally important phase of the pupil transportation problem is that which deals with the organization and administration of transportation service. The problems arising in that field will be considered in another bulletin.

It is our desire to cooperate with local school officials and other State Departments in establishing reasonable rules and regulations which will insure a maximum of safety and economy in the transportation of pupils.

We gratefully acknowledge the suggestions and assistance of school superintendents and others who have participated in the preparation of this bulletin.

Francis B. Haas

Superintendent of Public Instruction

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TRANSPORTATION OF PUBLIC SCHOOL PUPILS IN PENNSYLVANIA

I

BASIC PHILOSOPHY UNDERLYING TRANSPORTATION OF PUPILS

THE TRANSPORTATION of pupils to and from public schools is based upon the generally accepted principle of an adequate educational opportunity for all children in the Commonwealth, regardless of place of residence. If the glaring inequalities which characterize educational opportunities in sparsely settled areas are to be corrected, larger attendance areas are necessary in both the elementary and secondary fields. As these larger attendance areas are developed, transportation service is required for all children living beyond a reasonable walking distance from school. Since attendance at school is compulsory, provisions must be made which make such attendance possible.

It is obvious that, since transportation is an essential service in developing schools of the minimum size to provide adequate educational opportunities, the cost of such service is a legitimate item of expense which should be borne by the Commonwealth and the local school districts where the service is required. To require transportation to be furnished by parents, many of whom are financially unable to provide it, would not be in keeping with the democratic principles upon which our public school system has been developed.

Legislative Development of Transportation

The Commonwealth has recognized and accepted the responsibility for providing transportation service as a means of improving school facilities in rural areas and, through legislative enactments, has not only authorized the transportation of any child to and from the public schools but, under certain conditions, requires that such service shall be provided.

As early as 1897, the General Assembly authorized local school districts to close a school and transport pupils at public expense provided the cost of transportation was less than the cost of operating the school to be closed. Thus, the first attempt to provide transportation in Pennsylvania was based upon economy of operation rather than upon the enrichment of educational offerings.

In 1901, by act of General Assembly, school districts were authorized to establish centralized schools and required to transport pupils from closed schools to such central schools. This marked the beginning of compulsory transportation in Pennsylvania. Transportation developed

very slowly under the provisions of this act due, in a large measure, to the failure on the part of the Commonwealth to share the cost.

When the School Laws were codified in 1911, transportation at public expense was required for all elementary pupils in school districts of the fourth class who resided one and one-half miles or more from school in areas where an elementary school had been closed. However, no state-aid was provided except indirectly by continuing the appropriation for the teacher in such closed schools.

It was not until 1919, when the School Laws were amended to provide reimbursement for transportation that the movement received its first great impetus. In that year, the General Assembly defined a consolidated school, required free transportation of pupils in closed school areas residing one and one-half miles or more from school, and provided for state-aid to the extent of fifty per cent of the cost of approved transportation. For this purpose, the General Assembly made a specific appropriation of $350,000 of which $245,653 was actually paid to reimburse local districts. This was the initial step in providing state-aid for transportation in Pennsylvania and marks the beginning of a period of rapid development in that field of service.

In the same year, the laws were amended to require the closing of all schools having an average daily attendance of ten or fewer pupils. Transportation was required for all pupils belonging to such schools provided they lived one and one-half miles, or more, from the school to which they were assigned. For such transportation, local districts were reimbursed for fifty per cent of the cost not to exceed one dollar ($1.00) per day per pupil transported.

Subsequent legislation liberalizing state-aid for transportation has, from time to time, given additional impetus to the movement until, for the 1939-1941 biennium, the Commonwealth is appropriating $3,500,000 or ten times the initial grant for this purpose. In 1921, the General Assembly authorized the payment of two hundred dollars ($200) per year for each school permanently closed since 1911 in districts of the fourth class. Although this grant was not specifically earmarked for transportation, it was offered as an incentive to close schools and transport pupils and, therefore, can be considered, in part, as a subsidy for transportation. Again, in 1925, the General Assembly extended state-aid to districts in which all schools had been closed or where pupils had been assigned to teacher preparation schools.

A notable attempt was made by the General Assembly of 1925 to distribute State subsidies for transportation on a more equitable basis by applying the ability principle applied by the 1923 General Assembly to the distribution of subsidies for teachers' salaries. It provided for a seventy-five per cent reimbursement to districts having less than $50,000 of true valuation of assessable property per teacher; sixty per cent to districts having from $50,000 to $100,000 true valuation per teacher; and fifty per cent to districts having more than $100,000 true valuation per teacher. Certain limitations, however, were placed which provided that such reimbursement might not exceed $3,000 in districts with a true valuation of assessable property per teacher of over $100,000, nor more than $4,000 in districts with less than $100,000 of true valuation per teacher.

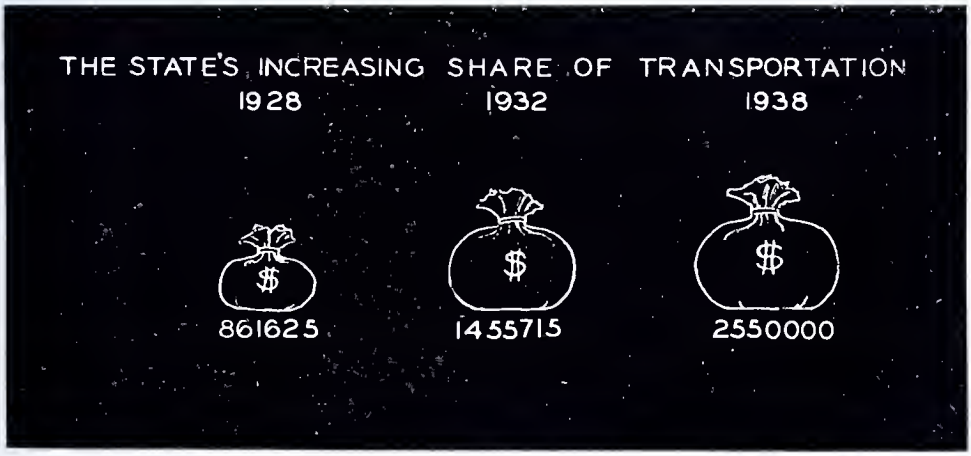
Further encouragement for transportation was offered the same year when the General Assembly provided for State reimbursement on the same preferential percentage basis for transportation of all pupils under the compulsory school age (sixteen years) residing two miles or more from school. However, this grant was made only to districts of the fourth class while all other transportation subsidies applied to fourth class districts and districts which were townships of the third class.

The next big step in the development of transportation service was taken by the General Assembly in 1937, effective in 1939, which required the transportation of all pupils in fourth class districts and townships which are districts of the third class residing two miles or more from school, and set up more liberal schedules of reimbursement.*

Growth of Transportation Service

The past two decades have witnessed a phenomenal growth in the transportation of public school pupils. In fact, it is doubtful if any phase of our constantly expanding program of education has developed

* These provisions were suspended by the 1939 Session of the General Assembly to take effect in July, 1941.



more rapidly. From meager beginnings in the early part of the century when comparatively few children were hauled to school over dirt roads in horse-drawn "kid-wagons," our transportation service has expanded to the point where over 120,000 pupils are transported daily, for the most part in motor vehicles.

The accompanying graph tells the story of this rapid growth both from the standpoint of the number of pupils transported and the increased cost to the Commonwealth.

This rapid development of transportation service in Pennsylvania has resulted, very largely, from the following influential factors:

1. Economy of operation
2. Consolidation of schools to provide a more adequate educational program
3. Compulsory school attendance
4. A general recognition of the need of and an insistent demand for increased State participation in providing adequate school facilities
5. The rapid improvement of transportation facilities as reflected in improved highways and more efficient transportation equipment
6. Enlargement of secondary school attendance areas
7. Increased confidence in transportation on part of the general public

All of these factors are still operative and, when the provisions of recent legislation become fully effective, it is only reasonable to expect that the demand for and cost of transportation services will show a sharp increase.

The state-wide program of reorganizing local school districts into larger attendance areas and more efficient administrative units will naturally mean that, as schools become fewer and larger, the number of children requiring transportation will increase. Also, as the provisions of recent legislation become effective, requiring transportation for children in rural areas residing two miles or more from school, a sharp increase in the need for transportation is inevitable. This growth will be most marked in the secondary school field where transportation has not been required. Also, raising the compulsory school age from sixteen to seventeen years will call for additional transportation service in many areas.

Another factor which will cause a sharp increase in the cost of transportation is the improved quality of the service. During recent years the standards for pupil transportation have been raised in order to keep pace with rapid developments in this field. As a result of these higher standards, the cost of new equipment has shown a marked increase. Thus, because of the increase in the quantity and improvement in the quality of transportation service, the problem is one which is of growing concern both to the local school districts where transportation is required and to the Commonwealth which is called upon to bear an increased share of the cost.

Summary

Transportation of pupils is an essential service in the development of schools of sufficient size to provide facilities and services commensurate with the needs, interests, and abilities of youth in sparsely settled areas. The Commonwealth has recognized its obligation to provide such service and, through a series of legislative enactments, has accepted the responsibility of sharing an increasingly greater part of the cost.

Pupil transportation has developed rapidly and now constitutes one of the major items of expense in the operation of our schools. There is every indication that the need for transportation will continue to increase and that the quality of the service will be improved as the provisions of recent legislation become effective. Because of this increased and improved service, a sharp rise in the cost appears inevitable. This emphasizes the necessity for a careful evaluation of present practice and the adoption of administrative policies which will guarantee the safety and comfort of pupils as well as economy of operation.

II

LEGAL BASES FOR TRANSPORTATION OF PUPILS

EFFICIENT ADMINISTRATION of pupil transportation depends, in a large measure, upon a clear understanding of and strict adherence to the legal provisions and statutory limitations which control the service. It is highly essential that the authorities charged with the responsibility of initiating and maintaining transportation service know when such service may be furnished and also the conditions under which it must be provided. Likewise, parents should understand when and under what circumstances their children are legally entitled to receive transportation. Much of the confusion and resulting friction would be removed if the discretionary rights and legal obligations of all parties concerned were clearly understood.

It is the purpose of this chapter to review the various provisions of the School Laws which authorize or require a school district to furnish transportation of pupils at public expense and to clarify those Sections which frequently have been misinterpreted. These provisions may be classified under two major headings as follows:

1. OPTIONAL PROVISIONS—which authorize but do not require a school district to furnish transportation.
2. MANDATORY PROVISIONS—which require a school district to provide transportation.

Optional Provisions

Any pupil may be transported to and from the public schools:

Under the statutory provisions now in effect, the local board of school directors is granted extremely broad powers of discretion in determining when and for whom transportation service may be provided. These powers are clearly set forth in Section 1404 of the School Laws which provides,

> "The Board of School Directors in any school district in this Commonwealth may, out of funds of the district, provide for the free transportation of any pupils to and from the public schools."

It is clearly evident from the above citation that any board of school directors *may,* if it so desires, furnish free transportation to any pupil residing within the district to and from the public school. Since the board of school directors is limited to those powers which are expressly stated in the Law, it follows that transportation may not be provided to private schools at public expense. This is a point upon which many questions arise and which this bulletin seeks to clarify.

Pupils may be transported to other educational activities:

Although the powers delegated to the board of school directors under the provisions of law just cited would appear to be sufficient to meet almost any need which might arise, it has become increasingly more apparent in recent years, as the scope of the educational program expanded, that the school district should be encouraged and permitted to

furnish transportation to other than the regular school activities. Consequently, at the regular Session of the General Assembly in 1937, the powers of local school authorities were further extended to permit the transportation of pupils at public expense to the State Farm Show and other places of educational interest. This authority is contained in Section 411 which provides,

> "The Board of School Directors may also authorize the transportation of pupils to the State Farm Show and to other exhibitions and places of interest, when their attendance at the same is deemed of educational value to such pupils, and may pay the expenses of such pupils, in whole or in part, from the funds of the district."

In addition to the legal authorization noted above, the School Laws contain the following specific provisions whereby transportation service may be provided.

Transportation is authorized to Approved Consolidated Schools:

Section 3704 of the School Laws provides,

> "Any school district may, through its board of directors, establish, equip, furnish, and maintain consolidated schools, and may transport pupils to and from such schools as provided by law."

Transportation is authorized for physically and mentally handicapped children:

Section 1413 of the School Laws provides,

> "Any physically or mentally handicapped child, who is regularly enrolled in a special class that is approved by the Department of Public Instruction, or who is enrolled in a regular class in which approved educational provisions are made for him, may be furnished with free transportation by the school district."

Transportation for tubercular children is authorized:

Section 1512 of the School Laws provides,

> "Whenever any board of directors of any school district shall establish any special school for pupils having tuberculosis of the lungs, such district may provide such pupils with the food, clothing, and transportation necessary for attendance thereat."

It will be noted from the above citations that the authority of the local school district to provide transportation service for the children residing within the district is almost unlimited. Also, it is significant that these powers are delegated to the board of school directors and may be exercised without the consent of the electorate. In this connection, however, it should be pointed out that much of the transportation referred to, if furnished, must be financed wholly by the local district. Only under certain conditions does the Commonwealth share the cost. The legal provisions covering reimbursement by the State are outlined in the next chapter.

Mandatory Provisions

In spite of the broad discretionary powers delegated to local school authorities under the provisions of law previously enumerated, it early became apparent that, if a modern and reasonably equalized educational

opportunity is to be provided for children in rural areas, transportation should be provided for all children who reside beyond a reasonable walking distance from school. The need for legislation requiring districts to furnish transportation was first felt in the elementary field and in those rural areas where children had been deprived of school facilities through the closing of an elementary school, usually a one-teacher school. Later, as the secondary school program developed, the need for transportation was felt even more keenly in those areas where children were far removed from a secondary school. In recognition of these needs, the General Assembly has wisely provided that, under certain conditions, transportation must be provided.

Transportation is required in "closed-school" areas:

When a child lives in a community where an elementary school has been closed since 1907, and resides one and one-half miles or more from the elementary school to which assigned, the district is required, by law, to furnish transportation provided it is a district of the fourth class or a township which is a district of the third class. This requirement is stated in Section 1406 of the School Laws as follows:

> "In any district of the fourth class or township which is a district of the third class, elementary school pupils who reside within that part of the school district last served by an elementary school closed since the first Monday of July, 1907, or within a district all of whose schools have been closed, or who are assigned to a State Normal School and reside one and one-half miles or more from the school to which they are assigned, shall be furnished proper transportation, at the expense of the district, to and from the elementary school to which they are assigned."

Transportation is required for pupils in rural areas residing two miles or more from school (Effective 1941):

The Section of law cited above applies only to the elementary school. In 1937, the General Assembly enacted legislation which provides that all children, in rural areas, regardless of age or grade, who reside two miles or more from school are entitled to transportation at public expense. This provision is contained in Section 1418 which was amended to read as follows:

> "After the first Monday of July, 1939, in case there is no public school in session within two miles by the nearest public highway of the residence of any child in a school district of the fourth class, or in a school district of the third class which is located wholly within the boundary lines of a township, such child shall be furnished free transportation to and from school, from and to a point on a public highway not more than two miles distant from the residence of such child."*

The provisions of this amendment apply only to those children residing two miles or more by the nearest public highway from school in districts of the fourth class and townships which are school districts of the third class. Also, it should be pointed out that transportation is not required from and to the residence of the child but from and to a point on the highway not more than two miles distant from the residence.

* The effective date of this provision was postponed by the 1939 Session of the General Assembly until 1941.

Likewise, it should be emphasized that the above amendment does not repeal, or in any way affect, the provisions of Section 1406 previously mentioned with respect to the transportation of children from "closed-school" areas.

Distance is an important factor in determining whether transportation is required:

In both of the cases cited above where the law specifically requires a school district to provide transportation, distance to and from school is one of the determining factors. Many controversies arise over this point between parents and school officials and, therefore, it is highly important for all concerned to understand the legal provisions with respect to how distance shall be measured. In this connection, Section 1408 of the School Laws provides, in part, as follows,

> ". . . All such distances shall be computed by the public highway from the nearest point where a private way or private road connects the dwelling house of the pupil with said highway to the nearest point where said highway touches the school grounds of the school to which the pupil has been assigned . . ."

Pupils may be required to walk to meet a conveyance:

The question frequently arises whether children must be transported from and to their homes or if they may be required to walk and, if so, how far.

Under the following provisions of Section 1408, a child may be required to walk not to exceed one and one-half miles to meet a school bus provided a suitable waiting station is furnished where needed.

> "Provided, That the free transportation of pupils, as required or authorized by this act or any other act, may be furnished by using either school conveyances, private conveyances, or electric railways, or other common carriers, when the total distance which any pupil must travel by the public highway to or from school, in addition to such transportation, does not exceed one and one-half miles, and when stations or other proper shelters are provided for the use of such pupils where needed."

Likewise, Section 1418 provides that transportation shall be furnished from and to a point on the public highway not more than two miles distant from the residence of the child. Obviously, a child may be required to walk not to exceed two miles under the provisions of this Section.

Summary

Transportation *may* be provided for any child, not only to and from the public schools, but to such exhibitions and places of interest as, in the judgment of the board of school directors, have educational value. Thus, any school district is authorized by law to provide transportation in practically every case where the need exists.

Transportation is required for any child residing in a closed school area one and one-half miles or more by the nearest public highway from the school to which he is assigned. After July, 1941, transportation will be required for all children in rural areas residing two miles or more from school.

III

LEGAL BASES FOR REIMBURSEMENT FOR TRANSPORTATION

IT WAS pointed out in Chapter II that, although local school authorities have been granted almost unlimited powers to provide transportation of pupils to and from public schools at public expense, the Commonwealth is not obligated to share the cost of such transportation except under certain conditions which are specifically set forth in the School Laws. It is the purpose of this chapter to enumerate those conditions and cite the legal provisions therefor.

Laws Authorizing Reimbursement

Reimbursement is authorized for transportation to approved consolidated schools:

Section 3705 of the School Laws provides,

> "Consolidated schools or joint consolidated schools shall, as long as they are approved by the State Council of Education as to organization, control, location, equipment, course of study, qualifications of teachers, methods of instruction, condition of admission, expenditures of money, methods and means of transportation and the contracts providing therefor, constitute approved consolidated schools or approved joint consolidated schools. School districts maintaining or transporting pupils to and from any such approved consolidated or joint consolidated school shall receive reimbursement as hereinafter provided." (See "Rates of Reimbursement.")

Under the provisions of law cited above, the Commonwealth is not obligated to reimburse the local district for transportation to and from consolidated schools unless such schools shall first have been approved by the State Council of Education with respect to the various items mentioned. This makes it imperative that all consolidated schools shall meet the requirements and maintain the standards required for approval.

Reimbursement is authorized for transportation from closed schools:

Section 1406 of the School Laws provides,

> "If the Department of Public Instruction approves the transportation as to methods and means and the contracts therefor, the Commonwealth will pay annually to the school district furnishing such transportation an amount determined by (a) the true valuation per teacher—and (b) a given per centum of the sum which has been expended during the previous school year by such a school district for transporting pupils of said schools to and from said schools, as follows:" (See "Rates of Reimbursement.")

This Section refers to that transportation which is required under an earlier provision of the same Section and which is quoted in Chapter II. Here again, there is no obligation on the part of the Commonwealth to share the cost of such transportation unless the Department of Public Instruction shall first have approved the transportation as to its methods and means and the contracts therefor. In this connection, school districts should award all such contracts subject to the approval of the State Department of Public Instruction. Otherwise, a district may find itself obligated to pay the entire cost.

Reimbursement is authorized for transportation of children in rural areas residing two miles or more from school:

Section 1418 was amended at the 1939 Session of the General Assembly to provide,

> "In case there is no public school in session within two miles by the nearest public highway of the residence of any child, such child shall be exempt from the provisions of this act relating to compulsory attendance, unless proper free transportation be furnished to such child to and from school, Provided: If proper free transportation is furnished to any such child to and from school the Commonwealth shall reimburse any school district of the fourth class or any school district of the third class which is located wholly within the boundary lines of a township furnishing such transportation in the same manner and amounts as provided for in this act for transportation of pupils from closed schools."

Reimbursement is authorized for transportation of physically and mentally handicapped children:

Section 1413, as amended in 1939, provides,

> "Any physically or mentally handicapped child, who is regularly enrolled in a special class that is approved by the Department of Public Instruction, or who is enrolled in a regular class in which approved educational provisions are made for him, may be furnished with free transportation by the school district. The Commonwealth shall reimburse any school district, furnishing such transportation, in the same manner and amounts as provided for in this act for the transportation of pupils from closed schools."

While any school district may furnish free transportation to any physically or mentally handicapped child, the Commonwealth is not obligated to share the cost of such transportation unless the child is enrolled in a special class approved by the Department of Public Instruction, or who is enrolled in a regular class in which approved educational provisions are made for him.

Reimbursement is authorized for board and lodging furnished in lieu of transportation:

Sections 1413 and 1418 of the School Laws provide,

> "When it is not feasible to provide such transportation, the Board of School Directors may, in lieu thereof, pay for suitable board and lodging for any such child: Provided, That in no case shall the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school, not exceeding five days in any one week."

Reimbursement may be withheld:

There are two legal provisions whereby State reimbursement may be withheld from districts entitled to receive the same.

Sections 1406, 1418, and 3705, as amended in 1937, provide,

> "The State Council of Education may, for cause specified by it, direct the withholding of such reimbursement in any given case permanently or until the school district has complied with the law or regulations of the State Council of Education."

Section 1021, which was enacted in 1937, provides,

> "It shall be the duty of the Superintendent of Public Instruction to withhold the payment of all moneys due any school district out of any appropriation made by the Commonwealth for any purpose until all reports re-

quired by law and due at such time have been filed, either with the Department of Public Instruction or other proper authority, whether or not such reports have any bearing on the right to such payment. At his discretion, he may, in like manner, withhold any or all appropriation from any district failing or refusing to comply with the laws and regulations of any department of the government of this Commonwealth for preserving the health or safety of pupils enrolled in the public schools."

Rates of Reimbursement

How rates of reimbursement are determined:

The basic factor which determines the amount of reimbursement a district receives from the Commonwealth is the true valuation per teacher of assessable property in the district. The method of determining the true valuation is described in Section 1210, paragraph 19, as follows,

"The true valuation per teacher for each district shall be determined by the State Council of Education, on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction, if such data and material shall, after investigation by the State Council of Education, be found to be correct; otherwise, upon such data and material as modified, corrected, and approved by said Council of Education. The true valuation per teacher shall be found by dividing the true valuation of the district by the number of full-time teachers, which number shall include all teachers, principals, supervisors, and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report; which number in districts of the fourth class shall also include one teacher for each teacher who at the time of the closing of any school in such district subsequent to June first, one thousand nine hundred and twenty-three, not since reopened, was employed in such school. The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth, one thousand nine hundred and twenty-two, and every second year thereafter, as corrected and approved by the State Council of Education after investigation, by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined as corrected and approved by the State Council of Education after investigation. The true valuation of each school district for the two fiscal years beginning on June first, one thousand nine hundred and twenty-five, and ending May thirty-first, one thousand nine hundred and twenty-seven, and for each biennium thereafter, shall be determined during the month of October, one thousand nine hundred and twenty-four, and in the month of October of every second year thereafter. The State Council of Education is hereby given full power and authority to make such investigations, to take such action, and to institute such proceedings, as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations, and the decisions which such Council reaches in such questions shall be final and conclusive."

Schedule of rates:

Beginning in 1919, the School Laws have been amended from time to time to liberalize the reimbursement to local districts on account of transportation. At first, there was no recognition of the wide variation in the ability of the districts to provide transportation. The State paid fifty per cent of the cost of approved transportation regardless of the wealth of the district. It was not until 1925 that the ability principle was incorporated into law. In that year, the law was amended to pro-

vide the same schedule of rates for reimbursement on account of transportation as had been applied by the 1923 General Assembly to the payment of subsidies for teachers' salaries. This schedule provided that districts having less than $50,000 of true valuation of assessable property per teacher would receive seventy-five per cent reimbursement; districts having from $50,000 to $100,000 true valuation per teacher would receive sixty per cent, and districts having more than $100,000 true valuation per teacher would receive fifty per cent. At the 1937 Session of the General Assembly, the ability principle was further emphasized by increasing the number of classification groups from three to eight. At the same time, the rates of reimbursement in each of the brackets was increased in an amount ranging from five to fifteen per cent.

Section 1406, as amended 1937, provided for the following rates of reimbursement, effective on account of all approved reimbursable transportation furnished after July 1, 1939. It is important to note, however, that the 1939 General Assembly suspended the effective date of this schedule until June 1, 1941.

SCHEDULE OF REIMBURSEMENT

True Valuation Per Teacher	*Per Cent of Reimbursement*
$25,000 or less	90
More than $25,000 but less than $50,000	80
More than $50,000 but less than $75,000	75
More than $75,000 but less than $100,000	70
More than $100,000 but less than $150,000	65
More than $150,000 but less than $200,000	60
More than $200,000 but less than $250,000	55
More than $250,000	50

The amount of reimbursement is limited:

The amount of reimbursement which any school district may receive from the Commonwealth is subject to the following limitations:

1. A maximum of $4,000 in any one year in districts reimbursed on the basis of 60 or 75 per cent.
2. A maximum of $3,000 in any one year in districts reimbursed on the 50 per cent basis.
   (Note—These maximums will be increased after 1941 to $8,000 for any district on the basis of present law.)
3. The State's share for transportation shall not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is transported.
4. Reimbursement for transportation furnished in district-owned equipment is limited to a given per cent (50, 60 or 75, as the case may be) of the cost of the driver's salary, cost of gasoline and oil plus a charge for depreciation and repairs which may not exceed $100 per vehicle per year. Under the provisions of law, effective in 1941, the limit allowed for depreciation and repairs will be increased to $200 per vehicle per year.

5. In case board and lodging is provided in lieu of transportation, the State's share of the cost of such board and lodging may not exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school, not exceeding five days in any one week.

Reimbursement depends upon the transportation being approved:

Although State reimbursement for a part of the cost of transportation is authorized by law, there is no obligation on the part of the Commonwealth to make such reimbursement unless the transportation shall first have been approved as to methods and means including the contracts therefor. It is highly essential that all contracts for transportation service be awarded subject to the approval of the proper agency. In this connection, it should be noted that several governmental agencies are empowered to regulate transportation service and, have certain approval functions. The legal provisions for such regulations are treated in Chapter IV. However, the following provisions which condition State reimbursement should be noted:

Section 1406 provides,

"That, if the Department of Public Instruction approves the transportation as to methods and means and the contracts provided therefor, the Commonwealth will pay annually to the school district furnishing such transportation an amount determined by . . . (see previous citation)."

Section 3705 provides,

"Consolidated schools or joint consolidated schools shall, so long as they are approved by the State Council of Education as to . . . methods and means of transportation and the contracts therefor, constitute approved consolidated schools or approved joint consolidated schools. School districts maintaining or transporting pupils to and from, any such approved consolidated or joint consolidated schools shall receive reimbursement as hereinafter provided."

Section 1418 provides,

"All vehicles used for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the State Council of Education. For such proper free transportation . . . the Commonwealth shall reimburse any school district of the fourth class, or any school district of the third class, which is located wholly within the boundary lines of a township, furnishing such transportation, in the same manner and amounts as provided for in this act for transportation of pupils from closed schools."

From the legal provisions cited above it is clearly evident that all transportation service for which reimbursement is claimed must be furnished under approved contracts and with approved equipment. Many questions arise relative to the awarding of contracts and the selection of proper equipment. The following statements may serve to clarify controversial issues and guide local school authorities in providing approved transportation service.

Contracts must be approved:

All contracts must be submitted upon forms furnished by the Department of Public Instruction except when transportation is furnished by public bus, train, or trolley. When transportation is thus furnished,

a detailed statement indicating the type of transportation, number of pupils and points between which they are transported, the distance traveled, and the cost per pupil per trip shall be submitted in lieu of a contract.

Two forms of contracts are provided, namely, PIBB-19 for use in all cases where transportation is furnished under contract and PIBB-19A which is used when the school district owns and operates its own equipment. Four copies of these contracts must be submitted to the Department of Public Instruction for approval immediately upon execution. It should be emphasized that the Commonwealth is under no obligation to pay reimbursement until these contracts have been approved.

Contracts for transportation service may be awarded either with or without advertisement for bids. There is no provision of the School Laws which requires a board of school directors to advertise for bids for transportation but, if such bids are obtained, the contract must be awarded to the lowest responsible bidder when the equipment of the parties submitting the bids is comparable. Contracts are not binding upon either party until approved by the Department of Public Instruction. The approval of the Department is based upon the conditions set forth in the contract and may be withdrawn in case any of the terms are violated.

Equipment must be approved:

One of the conditions required for the approval of any contract for the transportation of pupils is that the vehicle, whether owned or hired by the school district, shall conform to the standards approved by the State Council of Education and to all laws and regulations of the Commonwealth. The standards, rules, and regulations governing transportation are given in detail in Chapter V. However, to clarify certain points with respect to the effective date of such regulations, the following statements are made to guide school authorities in the selection of equipment.

1. Standards prescribed by the Vehicle Code are effective on all equipment purchased or placed into use after the effective date of the act September 1, 1939, and apply to all vehicles after August 1, 1942.

2. Standards prescribed by the State Council of Education are not retroactive, but apply only to new equipment purchased or placed into use six months after adoption. The standards contained in Chapter V apply to all vehicles placed into use after October 15, 1939.

3. The Department of Revenue and the Pennsylvania Motor Police are charged with the responsibility of approving equipment used in transporting pupils and therefore all contracts are approved by the Department of Public Instruction subject to the approval of those agencies.

Summary

If the methods and means of transportation including the contracts therefor are approved by the Department of Public Instruction and the State Council of Education, the Commonwealth will reimburse local school districts for a part of the cost of providing such transportation or board and lodging in lieu thereof as is furnished according to the provisions of law cited in this chapter. The amount of reimbursement which a district is entitled to receive depends upon the true valuation per teacher of assessable property in the district and ranges from fifty to seventy-five per cent, subject to the limitations noted. After 1941, the range will be from fifty to ninety per cent as noted above.

Reimbursement to any school district may be withheld, for cause, by the State Council of Education or the Superintendent of Public Instruction. Causes for the withholding of reimbursement are non-compliance with the provisions of law or regulations and the failure to file proper reports.

IV

LEGAL BASES FOR ESTABLISHING STANDARDS, RULES, AND REGULATIONS

THE RAPID INCREASE in the number of children for whom transportation is being provided and the widespread geographic distribution of those children has emphasized the need for some form of centralized control which will eliminate outmoded equipment, establish more uniform practice, and assure a maximum of safety. In this connection, Pennsylvania early recognized its responsibility not only to share an increasingly greater part of the cost, but to insure that transportation shall be furnished with standard equipment under proper supervision. To this end, the standards which were first adopted in 1925 have been revised from time to time to keep pace with the rapid developments in the field of transportation. The authority to regulate transportation of school children is vested in different governmental agencies as follows:

State Council of Education Regulations

The State Council of Education has authority to regulate transportation:

Section 1404 of the School Laws, as amended, 1937, provides,

> "All vehicles hereafter purchased or placed in use for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the State Council of Education. Such standards, when promulgated by the State Council of Education, may be revised not oftener than once each year, and whenever new requirements are made, they shall be published at least six months before they shall become effective, and shall apply only to vehicles thereafter purchased or put in use."

The standards promulgated by the State Council of Education are not retroactive, but apply to vehicles purchased or placed into use six months after such standards shall have been adopted. The first set of standards to be promulgated by the State Council under the provision of law cited above were adopted on February 4, 1938, and became effective as of August 4, 1938. These standards were amended March 31, 1939, and become effective October 15, 1939.

Department of Revenue Standards

The Department of Revenue is authorized to prescribe standards:

Section 828 of the Vehicle Code, as amended, 1939, defines a school bus and prescribes standards as follows,

> (a) "School Bus" for the purpose of this Section is any vehicle registered as a commercial vehicle, motor bus, or motor omnibus, or any vehicle having a lineal seating space, including the space for the operator of more than one hundred (100) inches, and owned by, or used under contract with, any school or school district for the transportation of school children: Provided, That said school bus shall not include motor buses operated by common carriers holding a certificate of the Public Utility Commission who also operate such motor buses over routes approved by such commission: Provided further, That such buses comply with the safety regulations of that commission and the State Council of Education of Pennsylvania.

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that, in addition to the other requirements of this act, does not conform with the following:

(1) The body of the vehicle shall be of all metal construction of the closed type, and shall provide only one compartment for the operator and school children.

(2) The exhaust system shall be so constructed that exhaust gases will be kept out of the body of the school bus, and adequate ventilation shall be provided in all school buses.

(3) There shall be an entrance door located to the right of the operator and at all times controlled only by such operator. The door shall be at least twenty-four (24) inches wide, and shall be an approved safety type with suitable hand rails.

(4) There shall be an emergency exit door in the rear or on the left side near the rear of the vehicle, equipped with an emergency lock operated from the inside of the vehicle, which may be quickly released, and which shall be protected against accidental release. The emergency exit door shall open outwards, and shall be at least twenty (20) inches wide, and shall be labeled in black letters at least three (3) inches high on both the outside and inside, "Emergency Door."

(5) All windows shall be so constructed and installed that they shall readily slide up and down only, except that the windows in the rear of the bus shall be stationary. All side windows in the bus shall be provided with removable heavy wire mesh or other removable guard of a sufficient height to prevent the extension of hands.

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried. And there shall be a measurment of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear. All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus. There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches, and in all new buses purchased after the effective date of this act (September 1, 1939) there shall be no longitudinal seats.

(7) Every school bus shall be of a uniform color which shall be orange, and every such bus shall be labeled both in the front and in the rear with black letters, not less than six (6) inches in height, with the words "School Bus," showing to the outside.

(8) Every school bus shall be equipped with at least one (1) fire extinguisher of approved type in good condition and ready for use as prescribed by the secretary and shall be so placed that it can be readily reached from the operator's seat.

Provided, That nothing contained in this Section shall make unlawful the use before August 1, 1942, of any vehicle as a school bus for the transportation of school children if such vehicle was used in this Commonwealth under contract with any school or school district for the transportation of school children before the effective date of this Section (September 1, 1939).

The secretary shall have the authority to make regulations, not inconsistent with this act, for the efficient administration of this Section.

Penalty.—Any person violating any of the provisions of this Section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of not less than ten dollars ($10) and not more than twenty-five dollars ($25) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not less than five (5) days and not more than ten (10) days.

Section 823 provides:

"(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle, trailer, or semitrailer being operated in this Commonwealth . . . shall submit such motor vehicle to such inspection of its mechanism and equipment as may be designated by the secretary."

"(b) If such inspections disclose the necessity for adjustments, corrections, or repairs in order to bring the motor vehicle, trailer, or semitrailer in conformance with the provisions of this act it shall be compulsory upon the owner to have such adjustments, corrections, or repairs made within the periods required in this act."

"(h) It shall be unlawful to operate any motor vehicle, trailer, or semitrailer on a highway (1) during an inspection period, unless the motor vehicle, trailer, or semitrailer has been inspected during the present or last preceding inspection period, and (2) after the close of any inspection period unless it has been inspected during the last preceding inspection period, and (3) a certificate for the proper period furnished and displayed."

The standards cited in the above Section of law become effective on all vehicles after August 1, 1942. In this connection, all vehicles used under contract with any school or school district in Pennsylvania before September 1, 1939, may be continued in use until August 1, 1942.

The Department of Revenue is authorized to inspect school buses and issue certificates:

Section 823-i of the Vehicle Code provides,

"(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by, or used under contract with, any school or school district which conforms with the provisions of this act and with the regulations of the State Council of Education of Pennsylvania. Such certificate shall bear the approval of, and be countersigned by the Commissioner of the Pennsylvania Motor Police. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission."

Motor Police Inspection

The Motor Police has authority to inspect school buses:

Section 823-j of the Vehicle Code provides,

"(j) The owner of every vehicle which is to be used for the transportation of school children shall, in addition to any other inspection required by this act, submit such vehicle to the Pennsylvania Motor Police some time during every August, or prior to operating such vehicle for the transportation of school children during the school year, to determine whether such vehicle conforms with the provisions of this act and the regulations of the State Council of Education of Pennsylvania. This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission."

Public Instruction Approval

The Department of Public Instruction has authority to approve transportation:

Section 1406 provides that,

If the Department of Public Instruction approves the transportation as to its methods and means and the contracts provided therefor, the Commonwealth will reimburse the district furnishing such transportation for a part of the cost.

Summary

It will be noted that the authority to prescribe standards, rules, and regulations governing the transportation of school children is vested in the State Council of Education, the Department of Revenue, the Pennsylvania Motor Police, the Public Utility Commission, and the Department of Public Instruction. Regulatory measures adopted by these agencies may be supplemented by the regulations of local school authorities not inconsistent with State laws and regulations. The enforcement of State regulations pertaining to the vehicles used for the transportation of school children is largely the responsibility of the Pennsylvania Motor Police and the Department of Revenue. These agencies are responsible for the inspection and approval of all school bus equipment and have the authority to condemn any vehicle which does not conform to the adopted standards. The State Council of Education and the Public Utility Commission cooperate with the above-named agencies in the proper administration of the transportation service.

V

STANDARDS, RULES, AND REGULATIONS GOVERNING PUPIL TRANSPORTATION

AS INDICATED in Chapter IV, the legal authority to regulate pupil transportation is vested in several controlling agencies. In order to coordinate the functions of these several agencies and avoid duplication of effort, the State Council of Education developed a set of standards, rules, and regulations which embody the regulatory measures of all agencies and tend to expedite the administration of the transportation service which these measures are designed to control. They are as follows:

I. Methods and Means of Transportation

The School Laws provide that transportation may be furnished by district-owned equipment, private conveyances, or common carriers. Each of these methods is in common use in Pennsylvania and each has its distinctive features which require special regulations. Therefore, the first section of this chapter deals with those specific regulations which apply to the different methods of transportation employed.

A. *District-Owned Equipment*

When the transportation equipment is owned by the school district, the following regulations apply in addition to those which are common to all methods:

1. *Contract*
   a. The board of school directors shall enter into a written contract with the driver upon forms furnished by the Department of Public Instruction. (Form PIBB-19A.)
   b. Four copies of the contract shall be submitted to the Department of Public Instruction for approval immediately upon execution.
   c. The contract shall not be binding on either party until approved by the Department of Public Instruction.
   d. The State is under no obligation to reimburse any school district for transportation rendered prior to the approval of the contract.
   e. If the driver is employed by the school district in any capacity other than that of driver, only the actual compensation as driver shall be included in the contract.

2. *Driver*
   a. The driver is an employe of the school district and must comply with the standards for drivers, hereinafter enumerated.

b. He shall operate the vehicle himself or provide a competent substitute who must be approved by the board of school directors.
c. The driver and vehicle shall conform to all regulations of the Vehicle Code.

3. *Vehicle*

a. The school district shall furnish a vehicle conforming to the standards, as herein provided under Section III, and shall maintain the same in good condition and repair, and shall pay the operating expenses thereof.
b. The vehicle need not be registered with the Public Utility Commission.
c. The vehicle shall be properly licensed by the Bureau of Vehicles. No license fee is required.

B. *Private Conveyances* (Contract Carrier)

Any person who transports children to and from school under contract with a school district, and who provides no other transportation for compensation is known as a contract carrier and must comply with the following regulations in addition to those which are common to all types:

1. *Contract*

a. The contract carrier must execute a written agreement with the board of school directors upon forms furnished by the Department of Public Instruction. (PIBB-19.)
b. Four copies of the contract shall be submitted to the Department of Public Instruction for approval immediately upon execution.
c. The contract shall not be binding on either party until approved by the Department of Public Instruction.
d. The State is under no obligation to reimburse any school district for transportation rendered prior to the approval of the contract.
e. The contract shall not be transferred.

2. *Driver*

a. The contract carrier shall operate the vehicle himself or provide a competent driver who must be approved by the board of school directors. In either case, the driver must conform to the standards for drivers, hereinafter specified.

3. *Vehicle*

a. The contract carrier shall furnish a vehicle conforming to the provisions of the Vehicle Code and to the standards prescribed by the State Council of Education, and shall maintain the same in good condition and repair, and shall pay the operating expenses thereof.

b. The vehicle shall be operated over such route and according to such schedule as the board of school directors shall determine.

C. *Private Conveyances* (Common Carrier)

If, in addition to the service furnished under the school contract, any person desires approval of the right to transport groups of persons, whether limited to trips connected with school activities or extended to cover trips for other purposes, the carrier must, *in addition to meeting the regulations for contract carriers,* comply with the following requirements:

1. Apply, in one application, to the Public Utility Commission for approval of both the school service and the group service as a common carrier.
2. Establish, at a formal hearing before the Commission, evidence of public necessity for the transportation not included in his school contract.
3. If a common carrier's certificate is secured, he must register his motor vehicle as an omnibus.

D. *Private Conveyances* (Other Common Carriers)

When transportation is furnished by public bus, train, or trolley, a detailed statement indicating the type of transportation, the number of pupils, the points between which they are transported, the distance to be traveled, and the cost per pupil per trip, shall be submitted in lieu of a contract.

II. Operation

A. *Route*

1. The route over which the bus operates shall be determined by the local board of school directors with the advice of the County Superintendent of Schools and the County Board of School Directors, and shall be accurately described in the contract.
2. The operator shall not deviate from the designated route except upon written consent of the local board of school directors.
3. All routes should be planned in the interest of safety as well as convenience. Safety should never be sacrificed for speed.
4. In general, the bus should go as near to the home of pupils as practicable, but there is no necessity nor obligation to stop at every home.
5. If the route serves two or more districts, the proportionate cost which each district shall share shall be determined by the County Board of School Directors.
6. In planning the route, the following factors should be taken into consideration:

a. Length and general character of the route.

b. The kind and condition of the road to be traveled. Pupils should not be transported over roads that present extreme hazards or that are apt to be impassable at certain seasons of the year.

c. Road hazards such as narrow roads, sharp turns, steep inclines, blind corners, unprotected crossings, defective bridges, heavy traffic, etc., should be avoided whenever possible.

d. The time required to make the trip under the most adverse conditions.
Pupils should not be required to ride on a school bus more than one hour.

e. Possibility of the route being passable at all times of the year.
Roads which may be closed due to drifts, mud, construction or reconstruction projects of the Highway Department, building of bridges, etc., should be avoided if possible. In this connection, the board of school directors should enlist the cooperation of the State and local highway authorities in maintaining all transportation routes in the best possible condition.

B. *Time Schedule*

1. An operating time schedule shall be prepared for each route prior to the opening of school. This schedule shall designate the *time* and *place* of all bus stops both morning and evening. Parents of pupils to be transported shall be notified of the schedule and the bus stop where their children are expected to board and leave the bus.
2. The time schedule should be prepared jointly by the school authorities and the bus driver. It should be established by an actual trial trip over the route and should allow ample time for the driver to cover the route at a rate of speed not to exceed thirty-five miles per hour.
3. The time schedule should conform to the schedule of the school served and should not deliver pupils at school before teachers are on duty, or require them to remain in the evening after teachers have left.
4. The school authorities should cooperate with the driver in maintaining his schedule by not requiring pupils to remain at school after the leaving time of the bus.
5. The time schedule for each route should be posted at the school and in the bus. The schedule should not be changed, except in emergencies, without the written approval of the local board of school directors and only after parents have been notified in advance of such change.
6. The driver shall adhere as closely as possible to the time schedule and shall not depart from any designated stop before two minutes after the scheduled time unless all

pupils are on board. He shall sound the horn at each stop and shall wait for any pupil who is observed to be making an effort to meet the bus.

C. *Loading and Unloading*

1. Pupils shall be taken on and discharged from the bus *only* at the designated stops and at the extreme right of the road. All stops should, if possible, be made at a point where the highway can be seen clearly for a distance of 500 feet in both directions.
2. As far as possible, bus stops should be made at a point where children can be sheltered against inclement weather while waiting for the bus. Wherever children are required to walk to meet the bus, such shelter must be provided (Section 1408). A shelter enclosed on three sides is recommended. Such shelter need not be heated.
3. No pupil shall be permitted to get on or off the bus while it is in motion. In discharging pupils, the driver shall see that each pupil crossing the highway is safely across before starting the bus.
   Children shall pass in *front* of the bus to cross the highway. Where the crossing is extremely hazardous, the driver shall stop the engine and escort pupils across the highway.
4. Each pupil shall be assigned a regular seat in the bus so that pupils may enter or leave the bus with a minimum of disturbance to others.
5. No person other than a public school pupil, teacher, or school official shall be permitted to ride in the bus without written consent of the school authorities.
6. No bus shall be loaded beyond the capacity indicated on the "Approved Inspection Sticker."
7. No pupil shall be permitted to leave the bus except at his regular stop without permission of the principal.
8. "Safety drills," making use of the emergency door of the bus, shall be conducted from time to time and at least once each month.
9. The driver should always give the proper signal before stopping to receive or discharge pupils.
10. Pupils should not stand in the roadway while waiting for the bus.

D. *Driver*

To be eligible as a bus driver, or substitute, a person shall

1. Be not less than twenty-one years nor more than seventy years of age.
2. Be thoroughly reliable and of good moral character.
3. Be able-bodied, free from communicable disease, and have normal use of both hands, both feet, both eyes, and both ears.

4. Have a valid license to operate a motor vehicle. No one shall be employed as a driver who has had license revoked.
5. Enter into written contract with the school board.
6. Not be a member of the school board in the district in which he operates the bus.
7. Be responsible for maintaining proper discipline on the bus.
8. Make such reports as may be required.
9. Refrain from eating or smoking while operating the bus.
10. Refrain from the use of intoxicating liquors while operating the bus.
11. Refrain from the use of profane or indecent language.
12. Be familiar with all the rules and regulations of the road.
13. Be capable of making necessary emergency repairs, such as changing tires, etc.

E. *Driving Regulations*

1. All motor vehicles used in the transportation of school children shall come to a complete stop immediately before traversing railway or trolley grade crossings. (Section 1027, Vehicle Code.)
2. No gasoline tank shall be filled when there are pupils in the bus.
3. No person shall be allowed to occupy such position that will interfere with the vision of the driver to the front, sides, or, by means of a mirror, to the rear.
4. Every school bus must make a complete stop at highway intersections protected by "stop" signs and the driver must exercise the utmost care before proceeding.
5. The driver must not leave the motor vehicle without first stopping the motor and setting the brakes.
6. No bus shall exceed a speed limit of thirty-five miles per hour.
7. No bus shall be operated with the clutch disengaged, except when coming to a stop.
8. The driver shall adhere as closely as possible to the time schedule arranged for his route.

F. *Insurance*

1. Privately Owned Buses

Each contractor furnishing transportation service under contract shall file with the board of school directors liability insurance in a company authorized to insure in Pennsylvania *in such amounts as the board of school directors may require under the provisions of Section 1408 of the School Laws.*

2. District Owned Buses

Under existing laws, a school district may not purchase liability insurance. However, each driver of a bus which is owned by a school district should be required (at his own expense) to file with the board of school directors an operator's liability policy in a company authorized to insure in Pennsylvania in such amounts as the board of directors may require.

3. Insurance Schedules

The schedule of limits of the Public Utility Commission for public passenger-carrying vehicles is a desirable standard. This schedule requires a minimum coverage of $5,000 personal liability for any one passenger of every such vehicle. Group liability for two or more passengers must be not less than $10,000 in vehicles having a capacity of not more than seven passengers, and one-half the registered seating capacity times $5,000 for vehicles having a capacity of eight passengers or more. Property damage coverage of not less than $1,000 is required in all cases.

III. Specifications Governing New School Bus Equipment

The specifications contained herein were adopted by the State Council of Education on March 31, 1939, and apply *only,* to school buses purchased or placed into service on or after October 15, 1939.

The administration of these requirements is a function of the Division of Consolidation and Transportation, Department of Public Instruction. All communications concerning them should, therefore, be directed to that Division.

Definition of a School Bus:

A school bus is any vehicle which is owned by or used under contract with any school or school district for the purpose of transporting school children.

Classification:

Class A—Any school bus of bus type, excepting vehicles included in Class C.

Class B—Any vehicle with a body which has been built originally as a commercial vehicle, but has been equipped with seats for the purpose of transporting as a school bus.

Class C—Any vehicle which is operated under a school bus contract, in scheduled route common carrier service, over a route which has been designated on the Certificate of Public Convenience, issued by the Pennsylvania Public Utility Commission.

Class D—A conventional passenger car which is operated on a school bus contract, which accommodates not more than six high school or seven elementary pupils in addition to the driver.

Specifications:

A. Body (Classes A and B)

1. *Construction*

a. The body, including frame, roof, walls, and floor, shall be of steel or other metal of comparable strength. A wooden floor is permitted to be used for insulation purposes provided a metal floor, which will not permit seepage of gasoline or fumes, is used above or beneath the wooden floor. A rubber, or composition floor covering is required.

b. There shall be no door to the left of the driver's seat. (Class B may be so equipped but may not be used while transporting pupils.)

c. Body posts and top must be strong enough to support load on turnover.

d. Body post interference with *forward* vision must be minimized. The use of a metal screen in a windshield or side window at any point in front of the face of the back of the driver's seat is prohibited.

e. Maximum over-all width of vehicle permitted by law is ninety-six inches.

f. Maximum over-all length of vehicle permitted by law is thirty-three feet.

2. *Headroom*

a. The minimum clear inside body height along centerline of body must be not less than sixty-six inches for Class A and fifty inches for Class B vehicles.

3. *Entrance Door* (Class A only)

a. A folding entrance door is required to the right of the driver with not less than twenty-four inches clear width between panels.

b. Glass lower panels are required on entrance door in order that a child standing along road shall be visible from driver's seat.

c. A grab handle of not less than ten inches in length must be securely mounted at a convenient height inside the door when open to enable pupils to help themselves in getting in and out of the bus. A stanchion attached to the floor may be used for this purpose in buses using the split type door.

d. No entrance step shall protrude beyond side body line.

e. In a bus requiring two steps to enter from ground to floor the upper step must be not less than thirteen inches, and not more than fifteen inches rise except that, if the lower step is less than sixteen inches from the ground, the upper step may have a rise of less than thirteen inches. When

three steps are required to enter the bus the upper two steps may be less than thirteen inches rise but must be of equal height.

f. Control mechanism of entrance door shall be under sole control of driver.

g. Door control shall have no folding action, notches or holes which might cause injury to passengers.

h. Folding doors shall have rubber channel jambs to protect fingers of passengers.

i. A stanchion is required at left of doorway from roof to floor.

4. *Windshield Wiper*

a. Every school bus must be equipped with two separate power windshield wipers with manual control. Every wiper system operated by air pressure or engine vacuum must be equipped with an air or vacuum reserve tank of not less than 195 cubic inches capacity except when a direct connection exists with reserve tank of a power brake system.

b. Every bus must be equipped with an adequate defroster.

5. *Rear Vision Mirrors*

a. Every school bus must be equipped with a rear vision mirror so placed inside or outside the bus as to afford a view of the highway for 200 feet to the rear.

b. An inside mirror of minimum size of four by fifteen inches is required to be so placed that the driver can conveniently observe the conduct of pupils.

c. One mirror can be used to meet the requirements of both "a" and "b" if of required size and placement.

6. *Windows*

a. Safety glass must be used wherever glass is used.

b. Adjustable metal frame safety-glass sash, or sash, or sashless safety glass, operating in grooves with provision for protection from the weather, are required of all movable windows.

c. On Class "B" buses only, stationary side windows may be used, provided the bus is equipped with adequate means of ventilation.

d. Windows at rear of any bus must be stationary.

e. The window at left of driver must be capable of opening to give arm signal and be without guard.

f. Class "B" only—There shall be a minimum window area excluding area of windshield of not less than 200 square inches per passenger.

7. *Window Guards*
   a. The lower half of every window, which is capable of opening, must be protected to at least one-half the greatest vertical height of the window between sills.
   b. When window is recessed lower than one-half the height between sills, a removable guard, either of mesh or rods, is required. This guard must be so constructed that it can quickly and easily be released from inside the vehicle, and it must be hinged at the bottom so as to drop clear of the window when released. This guard must be so constructed as to prevent the extension of hands and arms by pupils.

8. *Window "stops"*
   a. "Stops" may be used to prevent opening of windows lower than one-half the window height between sills. Under such conditions the installation of other window guards is not required.

9. *Seating*
   a. Seating capacity of every school bus is listed on windshield sticker.
   b. Every school bus, which is put into service after October 15, 1939, must be equipped with all forward facing seats.
   c. No jumper or other floating seats are permitted.
   d. Every seat cushion must be equipped with springs and every seat back must be well padded.
   e. A minimum lineal seating space of not less than thirteen inches per passenger is required. In computing seating capacity, no allowance will be made for fractional amounts. All measurements will be taken along central axis of seat cushion.
   f. The minimum depth of all seat cushions shall be not less than fourteen inches from front to back, and all seats shall measure not less than twelve inches from front edge of cushion to foremost face of seat back when cushion is in place.
   g. The minimum center to center spacing of forward facing seats shall be twenty-four inches.
   h. All seats must be fastened rigidly to the bus and recessing of frame of seat back at seat level on aisle side is prohibited.

10. *Driver's Seat*
   a. No part of the body of any passenger when seated may be on, alongside of, or in front of the driver's seat.
   b. On every Class "A" bus, a stanchion is required to the right rear of the driver's seat.

c. On every Class "A" bus a guard rail or other protective device is required extending from the above stanchion to the rear and left of the driver's seat to the left wall of the bus body.

11. *Aisles*

a. Every entrance aisle must have a minimum clear width of not less than twelve inches.

b. Aisle leading to emergency door must have a minimum clearance of not less than twelve inches.

c. Aisles must be unobstructed.

12. *Emergency Door*

a. Emergency door must not be less than twenty inches wide.

b. An emergency door is required in the rear or on the left side near the rear.

c. The emergency door must have a clear height of not less than forty-eight inches for Class "A" and forty-six inches for Class "B" vehicles.

d. No outside steps to the emergency door are permitted which can be used when the emergency door is closed.

e. A fastening device, which is not under the control of the operator, is required, which can be quickly operated by pupils in an emergency, but is protected against accidental release.

f. No handle, bolt, latch, or other fastening device may be used on the outside of an emergency door.

13. *Ventilation*

a. Unless an adequate indirect ventilation system is used, roof ventilators are necessary. Where roof ventilators are required a vehicle of less than 2,000 pound chassis weight must be equipped with one ventilator; a vehicle from 2,000 to 3,000 pound chassis weight must be equipped with two ventilators; and a vehicle above 3,000 pound chassis weight must be equipped with three ventilators.

b. No vents are permitted on rear of bus body.

14. *Fire Extinguisher*

a. Fire extinguisher, bearing approval of Underwriter's Laboratories, containing an agent not subject to freezing of not less than one quart capacity, must be mounted within reach of the driver.

b. Fire extinguisher must be tested by inspection officer prior to issuance of "Approved School Bus" sticker and must be kept fully charged at all times.

15. *Hand Axe*
    a. A small hand axe of a type that can be conveniently used to break safety glass must be mounted at some accessible point inside the bus.

16. *Interior Lights*
    a. A system of interior lighting must be in use, using dome lights of standard type controlled from driver's seat.

17. *Heater*
    a. An adequate heating system using a hot water heater is required. Every Class "A" bus must be equipped with a bus type heater.
    b. No heater, burning gasoline vapor, kerosene, or other fuel, may be used.
    c. No heater may be used which depends upon heat supplied by contact of incoming air with exhaust manifold, muffler or exhaust pipe.

18. *Radio*
    a. No Class "A" or Class "B" bus may be equipped with a radio.

19. *Trailer*
    a. No school bus may pull a trailer of any description.

20. *Baggage*
    a. Freight, baggage or merchandise of any kind may not be carried while the vehicle is transporting pupils, excepting property of passengers or school district. Book racks should be provided.

21. *Advertising*
    a. No such vehicle may display any advertising sign, inside or out.

22. *Chains*
    a. Every such vehicle must carry a set of chains which fit rear wheels and must use them in slippery, icy weather.
    b. Chains are required only for outside wheel of dual rear wheels.

23. *Flags and Flares*
    a. Every such vehicle must carry three flags and three approved flares as required by law and in event the vehicle is disabled, display them immediately for the guidance of other traffic.

24. *Tools*
    a. Necessary tools for minor repairs must be carried.

25. *Paint*

a. Every such vehicle, including body, hood, and fenders, must be painted orange in color, of a shade approximating sample which is furnished all County Superintendents. Anyone can secure a sample by requesting same of Division of Consolidation and Transportation, Department of Public Instruction, Harrisburg, Pennsylvania.

26. *Labels*

a. Every school bus shall be labeled on the front and on the rear using black, block letters not less than six inches in height with the words "SCHOOL BUS" showing on the outside.

b. Every emergency door shall be labeled as such both outside and inside using black letters at least three inches high stating "EMERGENCY DOOR."

c. Every school bus of Class "B" type, which is used for purposes, other than school bus transportation, must be equipped with detachable covering which will be used to cover the "School Bus" sign on front and rear when the vehicle is in use for other than school transportation purposes.

27. *Trim*

a. The use of black side belt panels or trim is permissible so long as the main section of the black belt panel does not exceed nine inches in width.

b. Side belt panels may be lettered with name of school or school district and may be painted any color.

c. Use of an aluminum painted roof is permitted provided that aluminum paint does not extend below roof moulding.

d. No trim of other color than approved orange may be used on front or rear of bus at any point which may be observed by the driver of an approaching car, with the exception that black trim line not wider than two inches may be used as a part of the general color scheme.

28. *Rub Rail* (Class A only)

a. A single member or a continuous series of longitudinal frame members must be used, of concealed construction, between floor and window ledge on both sides of body to reinforce body and withstand possible lateral impact.

b. An adequate rub rail is required on the outside of the body to be installed not higher than the seat line on both sides. A "pressed in" rub rail does not satisfy this requirement.

29. *Running Lights*

a. The following lights are required by the Vehicle Code to be installed on all, or certain types of school buses; head lamps, rear lamps, identification markers, side markers, clearance lamps, direction indicator, and rear reflector.

b. Complete information on the above items can be found in the Digest of the Vehicle Code. A copy of the Digest can be obtained free by addressing your request to the Pennsylvania Bureau of Motor Vehicles, Harrisburg, Pennsylvania.

c. Recessing of rear registration plate and rear lamp is required on all new buses (Class "A".)

30. *Stop Lamps*

a. Not less than two stop lamps must be installed on the rear and these must be in operating condition on every Class "A" school bus.

b. There must be at least one stop lamp installed and in operating condition on the rear of every Class "B" school bus.

c. When one or more stop lamps are used on the front of a school bus, the lens of these lamps must be amber in color.

B. Chassis (Classes A and B)

1. *Passenger Load*

a. Every school bus is restricted to a total passenger load not to exceed one passenger for every ninety pounds certificated chassis weight without cab as certified by chassis manufacturer.

b. No school bus may be used with a seating capacity in excess of sixty pupils.

c. No Class "B" school bus may be used to transport more than twelve passengers.

2. *Distribution of body length on conventional truck and bus chasses*

a. Not more than 1/3 total body length may be placed to rear of center of rear axle.

b. Front body length is measured from face of dash to point over center rear axle.

c. Rear body length is measured from rearmost point inside body at belt level to point over center rear axle. In cases where a sedan type seat is placed entirely across rear of bus, overall depth of seat is added to floorline measurement to obtain rear body length.

3. *Distribution of Body Length on Special Truck and Bus Chasses*

a. In the case of buses with front engine mounting using two rear axles, front and rear body lengths are measured to a point midway between points over centers of rear axles.

b. Front body length on cab over engine models is measured from foremost face of dash at point where body joins cowl to point over center rear axle.

c. Front body length on metropolitan models is measured from foremost face of dash of body to point over center rear axle.

d. Front body length of transit or "pusher" models is measured from point over center front axle to point over center rear axle.

e. Rear body length of transit or "pusher" models is horizontal distance measured outside bus from point over center rear axle to rearmost point of engine housing.

4. *Cutting of Frame*

a. Cutting and/or splicing of original chassis frame is not permissible in front of rear hanger of rear spring.

b. Rear axle may be moved backward not more than twelve inches provided rear spring hanger is not moved past end of original frame. When rear axle is moved backward from original position a reinforcing member must be attached to each longitudinal member of frame, the front of which must extend to a point not more than forty inches to rear of inner face of dash.

5. *Body Support*

a. Rearmost point inside body at floorline may not extend more than twelve inches beyond chassis frame.

b. When an extension of any type is used to meet requirements for body support, its longitudinal members must extend forward of end of original frame for at least the distance of overhang of the extension. Such an extension must be securely attached to original frame by riveting or welding, or both.

6. *Service Brakes*

a. Service brakes are required to act on every wheel of all new vehicles under the provisions of the Vehicle Code.

b. Service brakes shall be capable of stopping the fully loaded vehicles within thirty feet from a speed of twenty miles per hour on a dry level surface (Vehicle Code).

c. Every school bus, having a certificated chassis weight in excess of 3,000 pounds (Class T registration or heavier) must be equipped with power brakes, either vacuum or air actuated. These power brakes may be either of the full actuation or assistor type.

d. A reserve tank must be used of not less than 1,000 cubic inches volume to insure that the vehicle can stop with full load within thirty feet from twenty miles per hour with engine stopped and clutch disengaged.

7. *Emergency Brake*
   a. An emergency or parking brake, acting separately from the service brake system, is required on every vehicle (Vehicle Code).
   b. The emergency or parking brake is required to stop the vehicle on a dry level surface in fifty-five feet from a speed of twenty miles per hour (Vehicle Code).
   c. The emergency or parking brake is required to hold the fully loaded vehicle stationary on any grade upon which it is operated (Vehicle Code).
   d. Every school bus, which is equipped with an emergency or parking brake acting directly on the driveshaft, must also be equipped with a shaft guard to prevent "whip" of the shaft in event it breaks between brake and flywheel.

8. *Springs*
   a. An adequate front and rear spring suspension is required to provide a safe and secure axle mounting at all times.

9. *Driveshaft Guards*
   a. A suitable guard or guards must be installed on every school bus to prevent damage to any part of the service breaking mechanism, or gasoline feed line, or electrical system, in case of failure of either jackshaft or driveshaft.

10. *Tires*
   a. Every school bus must be equipped with tires not less in size than those recommended by the chassis manufacturer.
   b. Under any condition, buses of the various chassis classifications are required to be equipped with tires of a minimum size shown on table on page 40.
   c. Every vehicle of U classification or heavier must be equipped with dual rear wheels.
   d. Tires are required to be the same size on front and rear.
   e. Every school bus must be equipped with a spare tire in operating condition.
   f. No tire may be used when worn so that tread groove is less than 1/8 inch deep. Regrooving is permissible provided the fabric is not bared at any point.

11. *Gas Tank*
   a. Gas tank must be located, filled, drained, and vented outside passenger compartment.

12. *Exhaust Tail Pipe*
   a. Exhause tail pipe must be protected by an intervening metal shield at any point where it is within twelve inches of the gasoline tank and must terminate at a point at or beyond the extreme end of body.

13. *Bumpers*
    a. Bumpers must be anchored rigidly front and rear to truck chassis.
    b. Rear bumper of Class "A" buses must be wholly shielded over the entire length so as to prevent standing or hanging thereon, or hitching thereto.

C. Engine (Classes A and B)

1. *Type*
    a. Engine must be of type and capacity recommended by manufacturer of chassis for maximum load which bus will transport.
2. *Governed Speed*
    a. Every such school bus must be equipped with a governor in good operating condition.
    b. The governor of any vehicle, having a chassis weight of 3,000 pounds or above, must be set to permit an engine speed of not more than 2,800 revolutions per minute.
    c. In every case, the governor shall be set to restrict road speed to not more than thirty-five miles per hour in the highest forward gear.
3. *Generator*
    a. The generator must be adequate to operate all required lighting devices and heater and still keep battery on charge.
4. *Battery*
    a. Battery must be adequate to meet requirements of vehicle.

D. Performance Factor (Classes A and B)

1. a. Every new school bus must be so geared as to be capable of surmounting a three per cent grade on continuous pull at twenty miles per hour in high (direct) gear with full load.
2. a. The use of a school bus equipped with an auxiliary transmission or other form of overdrive, or underdrive, is prohibited.
    b. When a two-speed rear axle is used, the numerical value of the least powerful ratio in high (direct) gear must be used in computing the performance factor of the unit.
3. a. For the purpose of computing the performance factor the following formula shall be used:

$$\frac{T \times R \times E \times 12}{TRL \times GW} - 1.5 \text{ (rolling resistance of second-class road).}$$

= maximum grade in per cent which vehicle will surmount in high gear.

    b. T or net torque is the maximum value from flat part of power curve certified by the manufacturer *with all accessories,* ready for the road.

c. R or rear axle ratio is the highest gear reduction present in overall gearing.
d. E or efficiency is .9 for standard and .85 for worm drive vehicles.
e. TRL or tire radius loaded may be taken from the tire table on page 40.
f. GW or gross weight is determined by adding weight of pay load to empty weight of chassis and body.
   (1) Chassis weight is certified to Bureau of Motor Vehicles by manufacturer.
   (2) Weight of body and chassis can be obtained by weighing empty bus.
   (3) Weight of pay load is estimated by computing seating capacity and multiplying by a value of 125 pounds for each pupil.

Example of Computing Ability Factor

What is the performance factor of a school bus with a chassis weight of 4,038 pounds, having a wheel base of 191 inches, using an engine with a net torque of 150, equipped with 7.50 x 20 tires and dual rear wheels, carrying a body with a weight of 3,720 pounds and having seating accommodations for forty-five pupils?

T	150	Chassis weight	4,038
R	6.67	Body weight	3,720
E	.9	Pay load (45 x 125)	5,625
TLR	17.1	Gross vehicle weight	13,383

Substituting in the formula:

$$\frac{150 \times 6.67 \times .9 \times 12}{17.1 \times 13{,}383} - 1.5 \text{ equals } 3.22 \text{ grade.}$$

REQUIREMENTS CLASS "C"—Scheduled Common Carrier

1. Vehicle must be in good mechanical condition.
2. Body must be weather-tight. Leaks in roof or side walls constitute cause for rejection.
3. Vehicle must be equipped with lights, brakes, and other equipment in accordance with Vehicle Code.
4. Aisles must be unobstructed.
5. Floor must be gas-tight and in good condition. An insulating floor covering in good condition is required.
6. Upholstery must be clean and in good condition.
7. Seating capacity will be computed in thirteen-inch units. In the case of single or "bucket" seats no credit will be allowed for fractional amounts of seating space. "Jumper" seats are not permitted.

8. Any damaged windshield, or rear or side windows, must be replaced immediately, using approved safety glass.
9. The vehicle must be as safe, as convenient, and as comfortable as the individual circumstances permit.
10. Every such vehicle must display an "Approved School Bus" sticker listing thereon the seating capacity before transporting pupils under an approved contract or for reimbursable fares.

REQUIREMENTS CLASS "D"—Conventional Passenger Vehicles

1. Such a vehicle must be of a construction using all metal frames and walls, of sufficient strength to support weight of car on turnover. Only vehicles which are closed to the weather may be used. Roadsters and touring cars may not be used.
2. A minimum lineal seating space of not less than thirteen inches per passenger is required. The minimum depth of seats required is twelve inches.
3. Chains to fit rear tires must be carried.
4. Tools for emergency repairs must be carried.
5. The vehicle must be equipped with *stop light* in operating condition.
6. The vehicle must be equipped with four-wheel brakes.
7. No tire may be used when rubber is worn so that tread groove is less than one-eighth inch deep.
8. An adequate hot water heater is required.
9. Automobile radio may not be used while transporting pupils.
10. A sign must be displayed not less than thirty inches by six inches in size, bearing the label "SCHOOL BUS" in square black letters, not less than four inches high on approved orange background showing to front and rear while transporting pupils.

TABLE OF MINIMUM TIRE REQUIREMENTS AND TIRE LOADED RADII FOR NEW SCHOOL BUSES

Class of Registration	Chassis Weight	Maximum Gross Weight	Type of Rear Wheels	Low Pressure				
				Rim	Wheel	Number Plies	Capacity	Tire Radius Loaded
S	2,000 to 3,000 lbs.	7,000 lbs.	Single	6.50	16	6	1,290	13.7
			Single	7.00	15	6	1,300	13.7
T	3,000 to 4,000 lbs.	11,000 lbs.	Single	8.25	20	10	2,650	17.9
			Dual	7.00	20	8	1,950	16.7
U	4,000 to 5,000 lbs.	15,000 lbs.	Dual	7.50	20	8	2,200	17.1
V	5,000 to 6,000 lbs.	18,000 lbs.	Dual	8.25	20	10	2,650	17.9
W	6,000 to 7,500 lbs.	22,000 lbs.	Dual	9.00	20	10	3,250	18.5
S	2,000 to 3,000 lbs.	7,000 lbs.	Single	High Pressure				
				No high pressure equivalent				
					No high pressure equivalent			
T	3,000 to 4,000 lbs.	11,000 lbs.	Single	7	34	10	2,800	17.6
			Dual	6	32	8	1,950	16.1
U	4,000 to 5,000 lbs.	15,000 lbs.	Dual	6	32	10	2,200	16.8
V	5,000 to 6,000 lbs.	18,000 lbs.	Dual	7.	34	10	2,800	17.6
W	6,000 to 7,500 lbs.	22,000 lbs.	Dual	8	36	12	3,600	18.6